

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1771 – HB 1883

February 11, 2014

SUMMARY OF ORIGINAL BILL: Repeals Class A misdemeanor for intentionally or knowingly, possessing, manufacturing, transporting, repairing, or selling a switchblade knife.

Redefines Class A misdemeanors for selling, loaning, or gifting a firearm to a minor.

Repeals Class A misdemeanors for intentionally, knowingly, or recklessly selling, loaning, or gifting a switchblade knife to a minor.

Repeals Class C misdemeanor for unlawful carrying or possession of a knife with a blade length exceeding four inches.

Creates a Class D felony for committing an offense while employing a switchblade knife during the commission of, attempt to commit, or escape from a dangerous offense.

Increases the maximum fine from \$3,000 to \$6,000 for possessing a switchblade knife with the intent to employ it during the commission of, attempt to commit, or escape from any offense.

Permits Tennessee residents to purchase switchblade knives and have such shipped directly to their residences.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$5,000/Incarceration*

Increase Local Revenue – Not Significant

Decrease Local Expenditures – Not Significant

SUMMARY OF AMENDMENT (012438): Deletes Section 6 of the proposed legislation, which created a new Class D felony.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

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Assumptions for the bill as amended:

- The proposed legislation repeals three misdemeanors relative to switchblade knives and knives with a blade longer than four inches. Repealing these misdemeanors will not have a significant impact on the State. Any decrease in local expenditures to no longer process or house these offenders will not be significant.
- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines and the Administrative Office of the Courts' 2012 study on the collection of criminal fees and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in revenue as a result of increasing the maximum fine for possessing a switchblade knife with the intent to employ it during the commission of, attempt to commit, or escape from any offense.
- The proposed legislation repeals the prohibition against Tennessee residents from purchasing switchblades knives from outside the State. It is assumed that new purchases of switchblade knives will result in increased sale and use tax revenue. Sufficient data is not currently available to determine the exact fiscal impact to tax revenue. It is assumed the impact to state and local government will be not significant.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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